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Current Class: SECRET  
 Current Handling: EXDIS  
 Document Number: 1980BUENOS07578

Page: 1

Channel: n/a

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PAGE 01 BUENOS 07578 01 OF 02 192001Z  
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EO 12065: XDS-2 9/19/00 (RUSER, CLAUS W.) OR-M  
 TAGS: SHUM, OAS, AR  
 SUBJECT: DISAPPEARANCES: A NEW AND LARGER NUMBER FOR THE YEAR?

ARGENTINA PROJECT (S20000044)

U.S. DEPT. OF STATE, A/RPS/PS

Margaret P. Gaffield, Director

( ) Release ( ) Excise ( ) Deny

Exemption(s):

Classify: ( ) In Part ( ) In Full

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 Date 9/16/01 Declassify on Reason 25X1

(25X1) [REDACTED] 2-25X1

1. (C) SUMMARY. NEW REPORTS HAVE REAISED THE NUMBER OF REGISTERED DISAPPEARANCES HERE FROM SIX TO ELEVEN. AT THE SAME TIME, OTHER INFORMATION SUGGESTS THAT THE TOTAL NUMBER OF DISAPPEARED THIS YEAR MAY BE SUBSTANTIALLY LARGER, TOTALING 25 OR MORE. THIS NEW DEVELOPMENT HAS BEEN DISCUSSED WITH GEN. VIOLA, THE PAPAL NUNCIO AND ARGENTINE

OFFICIALS. END SUMMARY

2. (U) THE PERMANENT ASSEMBLY ON HUMAN RIGHTS, THE MOST CAREFUL ORGANIZATION IN DOCUMENTING DISAPPEARANCES, NOW LISTS ELEVEN PEOPLE AS HAVING DISAPPEARED AND HAVING THEIR DISAPPEARANCES REGISTERED WITH THE ASSEMBLY BETWEEN JANUARY 1 AND AUGUST 26. NEW CASES WITH THE ASSEMBLY INCLUDE TWO PARAGUAYAN COMMUNISTS (ANTONIO MAIDANA AND EMILIO ROA WHO REPORTEDLY DISAPPEARED IN BUENOS AIRES AUGUST 26. MAIDANA REPORTEDLY HAD SERVED 20 YEARS IN JAIL IN PARAGUAY

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PAGE 02 BUENOS 07578 01 OF 02 192001Z

BEFORE HIS RECENT RELEASE THERE) AND MARTIN HERVACIO GUADEX. (GAUDEX IS THE HUSBAND OF AIXSA EDITH BONA A MONTONERO WHO AFTER DIS-

Current Class: SECRET

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REVIEW  
 AUTHORITY:  
 Kathleen  
 Allegre, Senior  
 Editor

Declassified Case: 17X 8706 Date: 06-07-2013

Source of: C X A

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Current Class: ~~SECRET~~  
 Current Handling: ~~EXDTS~~  
 Document Number: 1980BUENOS07578

Page: 2

Channel: n/a

APPEARING BRIEFLY REAPPEARED IN CUSTODY. WE UNDERSTAND THAT BONA HAS NOW TOLD RELATIVES THAT HER HUSBAND LEFT THE HOUSE ON AUGUST 28 AND NEVER RETURNED. SHE WAS ARRESTED THE NEXT DAY AND TOLD BY HER CAPTORS THAT HER HUSBAND WAS IN CUSTODY TOO. THE GOVERNMENT HAD DENIED TO US THAT IT CAPTURED GAUDEX AND CLAIMS THAT HE IS A FUGITIVE.)

3. (U) IN ADDITION TO THE TOTALS NOW CARRIED BY THE PERMANENT ASSEMBLY, HUMAN RIGHTS ACTIVISTS IN ARGENTINA AND ABROAD ARE CIRCULATING A LIST OF 14 INDIVIDUALS WHO REPORTEDLY DISAPPEARED IN MARCH, ONLY FOUR OF WHOM REGISTERED WITH THE ASSEMBLY.

4. (C) THE SOURCE OF THIS LIST IS APPARENTLY THE MONTONERO ORGANIZATION IN MEXICO. IT IS POSSIBLE THAT THE MONTONEROS ARE FABRICATING THIS INFORMATION BUT WE ARE INCLINED TO ACCEPT THE ASSERTION THAT THESE PEOPLE DISAPPEARED AS PROBABLY TRUE.

5. (C) WE ALSO BELIEVE THAT ALL THOSE ON THE LIST ARE MONTONEROS, AS DO LOCAL HUMAN RIGHTS SOURCES. THE LONG DELAY BETWEEN THEIR ALLEGED DISAPPEARANCE IN MARCH AND THE SURFACING ON THIS LIST IN AUGUST WHEN WE UNDERSTAND IT FIRST APPEARED, MAY BE ACCOUNTED FOR BY THE TERRORIST ORGANIZATION'S WISH TO CONFIRM THEIR LOSS BEFORE PREMATURELY EXPOSING THESE INDIVIDUALS TO CAPTURE BY REVEALING THEIR IDENTITIES, SINCE MANY HAD BEEN INFILTRATED OR HAD BEEN LIVING IN THE COUNTRY CLANDESTINELY. MOREOVER, THE MONTONERO ADMISSION OF MAJOR LOSSES IN MARCH CORRESPONDS TO RELIABLE BUT VERY SENSITIVE INFORMATION WE HAD RECEIVED EARLIER THAT ONE OF THE SECURITY FORCES HAD SCORED A MAJOR COUP AGAINST THE MONTONEROS THAT MONTH. HOWEVER WE CANNOT BE CERTAIN THAT ALL THESE DISAPPEARANCES DID TAKE PLACE THAT MONTH (ONE NAME ON THE LIST WAS EARLIER REPORTED TO US AS HAVING DISAPPEARED IN JUNE).

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PAGE 03 BUENOS 07578 01 OF 02 192001Z

6. (S/NOFORN) LESS SUBSTANTIAL INFORMATION SUGGESTS THAT NEW REPORTS OF OTHER DISAPPEARANCES MAY BE IN THE OFFING. IN THE MIDDLE OF LAST MONTH A SENIOR ARGENTINE MILITARY OFFICER TOLD A RELIABLE WESTERN DIPLOMAT, WHO HAS PASSED THE INFORMATION ON TO US, THAT THE SECURITY FORCES HAD CAPTURED THIRTY-FOUR TERRORISTS UP TO THAT TIME. WE HEARD PRIVATELY FROM A MEMBER OF THE SECURITY FORCES THAT THE GOVERNMENT HAD ROUNDED UP A NUMBER OF MONTONEROS IN MAY-JUNE. THERE ARE RUMORS OF OTHER DISAPPEARANCES CIRCULATING AMONG HUMAN RIGHTS SOURCES. MORE SUBSTANTIALLY, FOUR MONTONEROS WERE CAPTURED EARLY THIS MONTH, AND THESE INDIVIDUALS TO OUR KNOWLEDGE HAVE NOT YET SURFACED IN CUSTODY. 8-1  
 THUS IT IS POSSIBLE THAT TOTAL DISAPPEARANCES MAY BE OVER 25 AND

Current Class: ~~SECRET~~

Page: 2

Declassified Case: INW- 87067 Date: 06-07-2013

Current Class: ~~SECRET~~  
 Current Handling: ~~EXDTS~~  
 Document Number: 1980BUENOS07578

Page: 3

Channel: n/a

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PAGE 01 BUENOS 07578 02 OF 02 192020Z  
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7. (C) THERE IS A GENERAL CONSENSUS AMONG OUR CONTACTS, INCLUDING THOSE IN HUMAN RIGHTS ORGANIZATIONS, THAT WITH THE EXCEPTION OF THE TWO PARAGUAYAN COMMUNISTS, PROBABLY ALL WHO HAVE REPORTEDLY DISAPPEARED IN ARGENTINA THIS YEAR WERE ACTIVE MONTONEROS.

8. (C) COMMENT: THE NEW AND HIGHER FIGURES FOR DISAPPEARED PEOPLE WILL WE UNDERSTAND BE BROUGHT TO THE ATTENTION OF THE INTER-AMERICAN HUMAN RIGHTS COMMISSION PRIOR TO THE OASGA. ONE GROUP IN ARGENTINA IS PREPARING A SPECIAL INTERIM REPORT FOR THE COMMISSION ON HUMAN RIGHTS DEVELOPMENTS IN ARGENTINA SINCE ITS VISIT. THIS REPORT WILL INCLUDE THE OBSERVATION THAT THE ORGANIZATION AND THE TACTICS THAT THE GOA USED IN THE COUNTERTERRORIST WAR CONTINUE IN PLACE AND TO BE IMPLEMENTED, ALBEIT ON A FAR MORE SELECTIVE BASIS IN CHOOSING ITS TARGETS, I.E. AGAINST ACTIVE TERRORISTS AND MEMBERS OF THE SUPPORTING INFRASTRUCTURE. AT THIS POINT WE WOULD CONCUR IN THAT JUDGEMENT. IF THIS IS TRUE, IT APPEARS THAT THE SURFACING IN CUSTODY OF BONA LATE LAST MONTH MAY HAVE OBEYED SPECIAL CIRCUMSTANCES.

9. (C) FINALLY, A NOTE ON METHODOLOGY. IT IS IMPOSSIBLE TO "PROVE" A DISAPPEARANCE, ESPECIALLY UNDER THESE NEW CIRCUMSTANCES WHEN

~~SECRET~~~~SECRET~~Current Class: ~~SECRET~~

Page: 3

Declassified Case: OX- 87067 Date: 06-07-2013

Current Class: ~~SECRET~~  
 Current Handling: ~~EXDTS~~  
 Document Number: 1980BUENOS07578

Page: 4

Channel: n/a

PAGE 02 BUENOS 07578 02 OF 02 192020Z

INFORMATION IS FROM MONTONERO SOURCES WITHOUT ANY OTHER INDEPENDENT CORROBORATING EVIDENCE. AS OUR ARGENTINE OFFICIAL CONTACTS HAVE BEEN QUICK TO POINT OUT, IN THE PAST WHEN MANY THOUSANDS DISAPPEARED THE QUESTION OF EXACTLY WHAT WERE THE CRITERIA FOR THE USG PUBLICLY ACCEPTING A GIVEN CASE AS CONSTITUTING A BONA FIDE DISAPPEARANCE DID NOT ARISE. WE ARE NOW DEALING WITH MUCH SMALLER FIGURES AND DEFINITIONS ARE IMPORTANT. INCREASINGLY, WE HAVE COME TO TAKE THE ASSEMBLY'S FIGURE FOR DISAPPEARED AS AUTHORITATIVE. TO BE INCLUDED ON THE ASSEMBLY'S LIST MEANS THAT A CONCERNED PERSON, USUALLY A RELATIVE, HAS ACTUALLY REGISTERED IT. FREQUENTLY A HABEAS CORPUS IN BEHALF OF THE DISAPPEARED INDIVIDUAL IS FILED, ALTHOUGH HABEAS CORPUS IS BEING USED LESS SO THAT IN THE PAST. HUMAN RIGHTS ACTIVISTS STATE THAT THE USE OF HABEAS CORPUS HAS FALLEN OFF BECAUSE RELATIVES THAT DO COME FORWARD ARE AWARE THE DISAPPEARED ARE TIED TO THE TERRORISTS. IN THESE CIRCUMSTANCES, THE RELATIVES ARE ALLEGEDLY TOO FRIGHTENED BOTH FOR THEIR OWN SAFETY AND FOR THE SAFETY OF THE DISAPPEARED PERSON TO MAKE AN OFFICIAL COMPLAINT IN THE COURT.

10. (C) USING PRIMARILY THE ASSEMBLY'S FIGURE MEANS THAT WE WILL INCLUDE SOME CASES ON WHICH WE HAVE CONFLICTING INFORMATION, E.G. THAT OF GAUDEX. IT ALSO MEANS WE MAY EXCLUDE SOME CASES THAT SEEM TO BE PRETTY SOLID DISAPPEARANCES. HOWEVER, RELYING ON THE ASSEMBLY'S SCREENING PROCESS WILL ALSO MEAN THAT WE WILL PROBABLY AVOID INCLUDING CASES WHICH ON CLOSER EXAMINATION WERE ORDINARY MISSING PERSONS OR THE VICTIMS OF COMMON CRIME (ONE OF THE PEOPLE WE LISTED AS DISAPPEARED EARLIER THIS YEAR NOW SEEMS TO HAVE BEEN THE VICTIM OF ORDINARY CRIME.)

11. (C) IN THE FINAL ANALYSIS WE ARE NOT DEALING WITH A DISCRETE NUMBER BUT WITH THE TREND THAT NUMBERS INDICATE. FOR THIS PURPOSE WE THINK THAT THE ASSEMBLY'S FIGURE IS THE MOST PUBLICLY DEFENSIBLE ONE WE CAN USE. BUT FOR INTERNAL USE IN CONSIDERING THE TREND HERE

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PAGE 03 BUENOS 07578 02 OF 02 192020Z

WE WILL CONTINUE TO USE ALL AVAILABLE SOURCES.

12. (C) NEVERTHELESS, TO ESTABLISH THE QUANTITATIVE TREND HERE, THE BEST AVAILABLE COMPARISON WOULD BE BETWEEN THE PERMANENT ASSEMBLY'S CURRENT FIGURE OF 11 DISAPPEARANCES IN 1980 AND THE TOTAL OF 44 FOR DISAPPEARANCES IN 1979 PUBLISHED IN THE DEPARTMENT'S HUMAN RIGHTS REPORT, WHICH WAS ESTABLISHED WITH APPROXIMATELY THE SAME CRITERIA.

Current Class: ~~SECRET~~

Page: 4

Declassified Case: IAW E.O. 6 Date: 06-07-2013

Current Class: ~~SECRET~~  
Current Handling: EXDTS  
Document Number: 1980BUENOS07578

Page: 5

Channel: n/a

13. (S) THE EMBASSY HAS RECENTLY AND REPEATEDLY RAISED THE ISSUE OF DISAPPEARANCES WIT THE GOA. THE CHARGE HAS SPOKEN TO GENERAL VIOLA ON THIS SUBJECT AND WITH THE PAPAL NUNCIO AND FOREIGN OFFICE DIRECTOR GENERAL ROS (SEPTELS). EMBASSY OFFICERS HAVE RAISED IT AT THE PRESIDENCY AND WITH SENIOR MEMBERS OF THE ARMED FORCES. THE MISSION WILL PURSUE THIS MATTER FURTHER IN ITS CONTACTS OVER THE COMING WEEKS IN A CONCERTED MANNER.

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Current Class: ~~SECRET~~

Page: 5

Declassified Case: U.S. 2706 Date: 06-07-2009